

To: Hearing Clerk DOCKET NOS: AO-0370-A7; F V00-930-1
From: Thomas M. Selvick
Subject: Wisconsin Cherry Regulation
Date: February 12, 2002

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My name is Tom Selvick, I operate Selvick Orchards (Grower and Harvester) and Meledy Cherries (Handler) in Sturgeon Bay, Wisconsin. Selvick Orchards (grower and harvester) and Meledy Cherries (handler) until 2 years ago, was operated by Mel Selvick (my father) and myself. Unfortunately Mel contracted bone cancer April 2000 and no longer is involved in business operations.

Selvick Orchards harvests (mechanically harvested) cherries for growers listed below:

1. Clyde Robelard
2. Gary & Karen Alexander
3. Allen DuBois
4. Lynn Keller
5. Ray Wegman (Estate)
6. Dan & Julie Kielar
7. Tom Sayer
8. Jim Knutson
9. Tyrus Perry (Neil DeBaker)
10. Bob Fellner
11. Herb Long
12. Peter & Sharon Stoffel
13. Jamie Sendra

Many of these orchards are old with transplanted acreage (trees of all different ages). Growers listed above have no harvesting equipment, relying on Selvick Orchards harvesting services. Some growers listed above have stated "if they are forced to drop 25% to 40%, they will cut orchard down". If Meledy Cherries accepts all of growers' cherries and is forced to put 25% to 40% in reserve, I question if sufficient profit would remain to sustain Meledy Cherries in business. If this occurs not only will Selvick Orchards suffer, but also Meledy Cherries may not pack sufficient pounds to warrant continuing cherry processing. If Meledy Cherries ends operation, many growers will likewise be forced to cut trees down. The only other Handler in Door County that harvests cherries for other growers is Seaquest Orchards (grower, handler & harvester). Seaquest starts processing cherries about the same day Meledy Cherries begins. Seaquest employs multiple shifts maximizing production. Since Seaquest starts the same day as Meledy, Seaquest couldn't harvest cherries for growers listed on page 1. Meledy Cherries process approximately 750,000 lbs. During large crop years.

Stated in (Federal Register vol.67,no 16, page 3545) "The evidence supports claims that these smaller producing district would be more impacted by a volume regulation than other districts. Costs may be higher to growers in those areas than in others because they tend to have lower yields. Also, processing capacity in those districts tends to be limited, supporting the argument that production is unlikely to increase. In addition, processors in the smaller producing districts testified that they would have to shut down their facilities if those districts were subject to volume regulation because they would not be able to get sufficient supplies of cherries to run their operations efficiently. If the smaller producing districts do increase their production, they would become regulated once they reach the 6-million pound threshold". If this rational is valid for previous statement, it should apply for Wisconsin putting pound threshold back to 15 million pounds.

A point to consider is pounds per acre. Look at chart ("federal Register/ vol. 67,no.16, page 3544") Chart shows Wisconsin pounds per acre is lower than Pennsylvania a purposed UN-restricted state. The fixed costs in all states are the same, but pounds pre acre very greatly. I propose a different restriction percentage for each state, matched to the states pounds per acre. Example: If Michigan must restrict 40%. Wisconsin would only restrict 8%. If you multiply these percentages times pounds per acre the numbers are about the same. Pounds per acre is what determines profit or loss.

Professionally I am a schoolteacher in New Berlin Wisconsin (28 YRS.). I coach and have 3 children, Annika 10, Austin 10, and Travis 13, all are active in sports. According to The CIAB Administrative Board, I must submit orchard maps by April 15th or the option of dropping cherries won't apply. The earliest I can get to Door County is Saturday May 4th (3 hour drive). I feel including Wisconsin with restricted states for the 2002 crop year is an unfair burden. Please reconsider your decision, or at least postpone Wisconsin's restriction status until 2003. Thus giving time to organize and implement plans.

Thank you- Thomas M. Selvick
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